

Senate File 2256 - Introduced

SENATE FILE _____
BY DOTZLER

(COMPANION TO 6151HH BY KRESSIG)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the authority of a public agency to spend
2 property tax revenues under a contract or agreement with
3 another public or private agency.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6151SS 82
6 md/sc/14

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1 1 Section 1. Section 28E.4, Code 2007, is amended to read as
1 2 follows:
1 3 28E.4 AGREEMENT WITH OTHER AGENCIES.
1 4 Any public agency of this state may enter into an agreement
1 5 with one or more public or private agencies for joint or
1 6 cooperative action pursuant to the provisions of this chapter,
1 7 including the creation of a separate entity to carry out the
1 8 purpose of the agreement. Appropriate action by ordinance,
1 9 resolution or otherwise pursuant to law of the governing
1 10 bodies involved shall be necessary before any such agreement
1 11 may enter into force. Nothing in this chapter shall be
1 12 construed to limit a public agency's authority to appropriate
1 13 or expend property tax revenues to carry out a duty specified
1 14 in an agreement with another public agency or a private
1 15 agency.

1 16 Sec. 2. Section 28E.12, Code 2007, is amended to read as
1 17 follows:
1 18 28E.12 CONTRACT WITH OTHER AGENCIES.
1 19 Any one or more public agencies may contract with any one
1 20 or more other public agencies to perform any governmental
1 21 service, activity, or undertaking which any of the public
1 22 agencies entering into the contract is authorized by law to
1 23 perform, provided that such contract shall be authorized by
1 24 the governing body of each party to the contract. Such
1 25 contract shall set forth fully the purposes, powers, rights,
1 26 objectives, and responsibilities of the contracting parties.
1 27 Nothing in this chapter shall be construed to limit a public
1 28 agency's authority to appropriate or expend property tax
1 29 revenues to carry out a duty specified in a contract with
1 30 another public agency to provide a governmental service.

1 31 EXPLANATION
1 32 This bill amends Code section 28E.4, relating to agreements
1 33 between public agencies and other public or private agencies
1 34 to provide a governmental service, and Code section 28E.12,
1 35 relating to contracts between public agencies to provide a
2 1 governmental service, by specifying that the provisions of
2 2 Code chapter 28E shall not be construed to limit a public
2 3 agency's authority to appropriate or expend property tax
2 4 revenues to carry out a duty specified in an agreement with
2 5 another public agency or a private agency, or a contract with
2 6 another public agency to provide a governmental service.
2 7 LSB 6151SS 82
2 8 md/sc/14